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P2

PATENT

Attorney Docket No.: A-59553-2/RFT

JAN 11 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

R. Andrew Cuthbertson

Serial No. 09/632,149

Filed: August 3, 2000

For: OCULAR GENE THERAPY

) Examiner: Q. Nguyen

) Group Art Unit: 1632

) **CERTIFICATE OF MAILING**

) I hereby certify that this correspondence, including listed
) enclosures, is being deposited with the United States
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) 21, 2001

Signed: Jane Valle
Jane Valle

NOTICE OF APPEAL

Commissioner of Patents
BOX FEE AMENDMENT
Washington, DC 20231

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated May 23, 2001 of the Primary Examiner finally rejecting Claims 13-22.

The Appeal Fee of \$320.00 pursuant to 37 C.F.R. 1.17(b) is enclosed herewith.

The Commissioner is hereby authorized to charge any additional fees, including extension fees, or credit any overpayment to Deposit Account No. 06-1300 (Order No. A-59553-2/RFT).

Respectfully submitted,

FLEHR HOHBACH TEST
ALBRITTON & HERBERT LLP

Date November 21, 2001

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